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Counsel for Dondre Charles Jackson

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
The Honorable Thomas O. Rice, District Judge

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONDRE CHARLES JACKSON,

Defendant.

Case No. 2:22-cr-89-TOR

SENTENCING MEMORANDUM

DONDRE CHARLES JACKSON, by counsel, Lorinda Meier Youngcourt  
of the Federal Defenders of Eastern Washington and Idaho, requests this Court  
impose a sentence of probation with conditions to include payment of restitution  
without the accrual of interest.

**I. United States Sentencing Guidelines**

**A. Offense Level**

Mr. Jackson agrees with United States Probation and the government that the adjusted offense level in this matter is ten. ECF Nos. 23 at ¶ 33, 25 at pg. 3.

**B. Criminal History**

Mr. Jackson agrees has no arrests or convictions, placing him in Criminal History Category I. ECF No. 23 at ¶ 39.

**C. USSG Guideline Range**

With a total offense level of ten and a criminal history category of I, Mr. Jackson's guideline range is six to 12 months of incarceration. ECF No. 23 at ¶ 67. The government, United States Probation and Mr. Jackson agree a sentence of probation satisfies the United States Sentencing Guidelines. ECF Nos. 23 at ¶ 67, 25 at pg. 3.

**II. 18 U.S.C. § 3553(a) Factors**

A sentence of probation including a condition for regular payments towards the agreed restitution amount of \$54,900 is sufficient but not greater than necessary to satisfy 18 U.S.C. § 3553.

Mr. Jackson has led a law-abiding life. He has maintained employment. He perpetrated the crime while he was involved in a dysfunctional relationship with a partner struggling with mental health issues. He was the victim of his partner's domestic violence and stalking. Mr. Jackson used the CARES Act money to escape

1 the relationship and start over. ECF No. 23 at ¶¶ 50 - 52. When confronted by law  
2 enforcement with his actions, Mr. Jackson admitted his criminal conduct and  
3 entered a plea of guilty at the first pretrial conference.

4 The government did not request, and United States Probation did not  
5 recommend Mr. Jackson's pretrial detention. ECF No. 16. He was placed on  
6 pretrial supervision and has remained in compliance with all court-imposed  
7 conditions.

8 In the past two year, Mr. Jackson met and married his wife. He has stepped  
9 into the role of fulltime stepfather to her seven- and 13-year-old sons. The family  
10 lives in a well-cared for, modest, rental home in Moses Lakes where they live across  
11 the street from extended family. Mr. Jackson is employed as a security officer.

12 The United States Congress tasked the Sentencing Commission with creating  
13 guidelines and specified, "The Commission shall insure that the guidelines reflect  
14 the general appropriateness of imposing a sentence *other than imprisonment* in case  
15 in the which the defendant is a first-time offender who has not been convicted of a  
16 crime of violence or an otherwise serious offense." 28 U.S.C. § 994(j)(emphasis  
17 added). Mr. Jackson is a first-time offender, and his crime was not one of violence  
18 and while not to be ignored or minimized, is not "an otherwise serious offense."  
19 Keeping Mr. Jackson employed and paying restitution is the best way to address his  
20 criminal conduct.

### III. Restitution

Mr. Jackson and the government agree he should pay restitution in the amount of \$54,900. Given Mr. Jackson's financial condition and earning capacity, he requests the Court order interest on restitution waived. The Court found Mr. Jackson qualified for the appointment of the Federal Defender representation based upon his financial affidavit. ECF No. 12. Likewise, United State Probation has found Mr. Jackson has "limited income" and "family responsibilities" making it unlikely he could pay a fine. ECF No. 23 at ¶ 65.

### IV. Conclusion

Dondre Charles Jackson requests the Court sentence him to probation with the requirement he make regular payments towards restitution in the amount of \$54,900, upon which interests does *not* accrue.

Dated: December 27, 2022

/s/Lorinda Meier Youngcourt  
Lorinda Meier Youngcourt

Certificate of Service

I certify that on December 27, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will notify all counsel of record.

/s/Lorinda Meier Youngcourt

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